IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1215 OF 2006

Abujar Siraz Khan. ...Applicant
V/s.
The State of Maharashtra. ...Respondent

Shri S.K. Dubey for Applicant.
Shri Y.S. Shinde, APP for the State.

CORAM : V.M. KANADE, J.

DATED : APRIL 19, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant was arrested on 31st December, 2005 in connection with an offence punishable under Sections 395, 397, 342, 412 of the IPC. No role has been attributed to the present applicant. It is alleged that the applicant was present when the said offence was committed by the other accused. There is no recovery at the instance of the present applicant. The applicant was 18 years old when the said offence was committed.

2. Considering these factors, in my view, the

applicant is entitled to be released on bail.

3. The applicant be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount. They shall report to Bhoisar Police Station twice in a month.

4. The applicant shall not tamper with the evidence or threaten the witnesses. If any complaint is received by the Investigating Officer, the Public Prosecutor is at liberty to file an application for cancellation of bail.

5. The trial Court shall not be influenced by any observations made by this Court while deciding the application and the same shall not be construed as an expression of opinion on merits of the case.

. The application is disposed of.

(V.M. Kanade, J.)